

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER <b>KUSANO 1</b>
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>Not yet assigned</b> <b>10/593264</b>
INTERNATIONAL APPLICATION NO. <b>PCT/JP2005/004476</b>	INTERNATIONAL FILING DATE <b>March 14, 2005</b>	PRIORITY CLAIMED <b>March 17, 2004</b>
TITLE OF INVENTION <b>FUNCTIONAL POWDERY PRODUCT</b>		
APPLICANT(S) FOR DO/EO/US <b>Hajime KUSANO et al.</b>		
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)) as soon as the application is in order for such purpose and the applicable requirements of 35 U.S.C. 371(c) have been complied with.</li> <li>4. <input type="checkbox"/> The US has been elected (Art 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not transmitted by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11. to 16. below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An Assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</li> <li>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable sequence form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</li> <li>18. <input checked="" type="checkbox"/> Other items or information:             <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Courtesy copy of the first page of the International Publication (WO 2005/087182 A1).</li> <li><input checked="" type="checkbox"/> Formal drawings, 1 sheets, Figures 1-2.</li> <li><input checked="" type="checkbox"/> Courtesy Copy of the International Search Report.</li> <li><input checked="" type="checkbox"/> The application is (or will be) assigned to: KABUSHIKI KAISHA HAYASHIBARA SEIBUTSU KAGAKU KENKYUJO whose address is 2-3, Ahimoishii 1-Chome, Okayama-shi, Okayama, 700-0907, Japan.</li> <li><input checked="" type="checkbox"/> The benefit under 35 USC §119 is claimed of the filing date of: Application No. 2004-076061 in Japan on March 17, 2004, which is hereby incorporated by reference (See MPEP §201.13, pg 200-73, of revision 2, May 2004).</li> </ul> </li> </ol>		

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21. The following fees are submitted:				<b>CALCULATIONS PTO USE ONLY</b>																																			
<div style="display: flex; justify-content: space-between;"> <div> <p><b>[xx] a) BASIC NATIONAL FEE (37 CFR 1.492(a)).....\$300.00</b></p> <p><b>[xx] b) SEARCH FEE (37 CFR 1.492(b))</b></p> <p style="padding-left: 20px;"><b>[ ] US was International Searching Authority.....\$100.00</b></p> <p style="padding-left: 20px;"><b>[xx] Other ISR provided to USPTO.....\$400.00</b></p> <p style="padding-left: 20px;"><b>[ ] All other situations.....\$500.00</b></p> <p><b>[xx] c) EXAMINATION FEE (37 CFR 1.492 (c))</b></p> <p style="padding-left: 20px;"><b>[ ] IPEA/US gave wholly favorable IPER.....\$100.00</b></p> <p style="padding-left: 20px;"><b>[xx] All other situations.....\$200.00</b></p> <p style="text-align: center;"><b>TOTAL OF ABOVE CALCULATIONS :</b></p> <p>Surcharge of \$130.00 for furnishing the oath or declaration later than [ ] 20 [ ] 30 months from the earliest claimed priority date (37 CFR 1.492(h)).</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;">TOTAL SHEETS</td> <td style="width:15%;">EXTRA SHEETS</td> <td style="width:35%;">Number of each additional 50 or fraction thereof (round up to a whole number)</td> <td style="width:15%;">RATE (1.492(g))</td> </tr> <tr> <td>75 - 100</td> <td>0 /50</td> <td></td> <td>X \$250.00</td> </tr> </table> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;">CLAIMS</td> <td style="width:15%;">Number Filed</td> <td style="width:15%;">Number Extra</td> <td style="width:15%;">Rate (1.492 (d-f))</td> </tr> <tr> <td>Total Claims</td> <td>20 - 20 =</td> <td></td> <td>X \$ 50.00</td> </tr> <tr> <td>Independent Claims</td> <td>1 - 3 =</td> <td></td> <td>X \$200.00</td> </tr> <tr> <td colspan="3">Multiple Dependent Claims (if applicable)</td> <td>+ \$360.00</td> </tr> </table> <p style="text-align: center;"><b>TOTAL OF ABOVE CALCULATIONS =</b></p> <p>Reduction of 1/2 for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.</p> <p style="text-align: right;"><b>SUBTOTAL =</b></p> <p>Processing fee of \$130.00 for furnishing the English translation later than [ ] 20 [ ] 30 months from the earliest claimed priority date (37 CFR 1.492(i)).</p> <p style="text-align: right;"><b>TOTAL NATIONAL FEE =</b></p> <p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +</p> <p style="text-align: right;"><b>TOTAL FEES ENCLOSED =</b></p> </div> <div style="width: 40%; text-align: center;"> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 50%; height: 40px; vertical-align: bottom;">\$900.00</td> <td style="width: 50%; height: 40px;"></td> </tr> <tr> <td style="height: 40px;"></td> <td style="height: 40px;"></td> </tr> </table> </div> </div>				TOTAL SHEETS	EXTRA SHEETS	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE (1.492(g))	75 - 100	0 /50		X \$250.00	CLAIMS	Number Filed	Number Extra	Rate (1.492 (d-f))	Total Claims	20 - 20 =		X \$ 50.00	Independent Claims	1 - 3 =		X \$200.00	Multiple Dependent Claims (if applicable)			+ \$360.00	\$900.00				<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"><b>Amount to be:</b></td> <td style="width: 50%; text-align: center;">\$</td> </tr> <tr> <td style="text-align: center;"><b>refunded</b></td> <td></td> </tr> <tr> <td style="text-align: center;"><b>charged</b></td> <td style="text-align: center;">\$</td> </tr> </table>		<b>Amount to be:</b>	\$	<b>refunded</b>		<b>charged</b>	\$
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<b>Amount to be:</b>	\$																																						
<b>refunded</b>																																							
<b>charged</b>	\$																																						

  

**Payment Method (check one only)**

a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b. ☒ Credit Card Payment Form (PTO-2038), authorizing payment in the amount of \$900.00, is attached.

c. ☐ Please charge my Deposit Account No. **02-4035** in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.

  

**Handling of Fee Deficiencies (check one only)**

☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **02-4035**. A duplicate copy of this sheet is enclosed.

☐ If a deficiency exists in the basic national fee set by 37 CFR 1.492(a), please charge it to Deposit Account 02-4035. At this time, no authorization is given to charge any other fees.

  

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

  

Direct all correspondence to the address associated with  
**CUSTOMER NUMBER 001444**, which is currently:

**BROWDY AND NEIMARK, P.L.L.C.**  
**624 NINTH STREET, N.W., SUITE 300**  
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**TEL: (202) 628-5197**  
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 Date of this submission: Monday, September 18, 2006

SIGNATURE

**Roger L. Browdy**

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NAME

**25,618**

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REGISTRATION NUMBER

RLB:cac

**EXACT ENGLISH LANGUAGE  
TRANSLATION OF THE PCT  
APPLICATION AS  
ORIGINALLY FILED  
WITH ABSTRACT**